D.B.C.SPECIAL APPEAL NO. 72/2006
(Praveen Kumar Vs. Gopal Lal and Anr.)

21.4.2006

HON'BLE MR RAJESH BALIA, J.
HON'BLE MR R.P. VYAS,J.

Mr. M.Mridul, Sr. Advocate assisted by
Mr. P.S. Chundawat, for the appellant

This appeal is directed against the judgment of the learned Single Judge dated 6.1.2006 decided in four appeals by common order. This appeal arises out of order passed in S.B. Civil Misc. Appeal No. 440/2005.

All the four appeals before the learned Single Judge related to the claim petitions arising out of the same accident. The vehicle involved in accident is owned by the appellant, and common issue about the liability of the insurance Co. to indemnify the appellants and the quantum of compensation to be awarded to the claimants were raised. The insurer was absolved from the liability inter-alia on the ground that insurance policy was operative after accident has taken place inasmuch as the premium for taking insurance was paid after accident has taken place.

One of appeal arising out of the common order being D.B.S.A.W. No.73/2006 has since been dismissed

by this Court on 19.4.2006. No other point in this appeal arises.

Accordingly, the appeal also fails and is dismissed.

(R.P.VYAS), J. (RAJESH BALIA),J.

/rm